ATE OF MONTANA COUNTY OF RAVALLI 364847 1 OF 120PAGES
FILED FEBRUARY 19, 1993 2:28PM PERM FILE 7746

DEPUTY

NO FEE

## RESOLUTION NO. 641

## RESOLUTION TO CREATE A ZONING DISTRICT

WHEREAS, a petition was received from 84% of the owners of the real property in the Canyon Paradise Heights Subdivision area, requesting that the BOARD OF COUNTY COMMISSIONERS of Ravalli County create a zoning district with certain regulations; and

WHEREAS, a public hearing was held on December 3, 1992 to take comment on the proposed district and regulations; and

WHEREAS, A "Notice of Intent to Create a Zoning District" was published in the Ravalli Republic on December 30, 1992 and January 6, 1993; and

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS, Ravalli County, Montana, waited 30 days after the first publication of the "Intent to Create a Zoning District"; and

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS, received no letters from freeholders in the proposed district in opposition to the proposed zoning district; and

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS of Ravalli County has determined that the creation of said district is in the best interest of the citizens within the proposed district and Ravalli County;

NOW THEREFORE BE IT RESOLVED that the BOARD OF COUNTY COMMISSIONERS of Ravalli County establish a zoning district and regulations for that district as described herein, in accordance with provisions of Section 75-2-205, M.C.A.

AREA ZONED. The area to be zoned consists the Wishing, Section 15, the SERSER, Section 16, all of Section 21 and the Winner, Section 22 and Lots 5-12, Block 5, Paradise Heights No. 2, all in Township 6 North, Range 21 West, Ravaili County, Montana.

DENSITY. Further subdivision of existing parcels will be allowed down to the established minimum average. The minimum

average means that one or more parcels can be subdivided or reconstituted in any manner as long as the average lot size of the parcels resulting from the subdivision or reconstitution exceeds the minimum lot size.

BOUNDARY LINE ADJUSTMENTS. Nothing in this zoning plan shall prohibit adjustment of boundary lines between adjacent property owners, as long as no additional parcels are created.

## MINIMUM LOT SIZE. The minimum lot size is as follows:

- 1. The WMSWMSWM; Section 15, the SE1/4 SE 1/4, Section 16, the NM and SWM of Section 21 and the WMNWM of Section 22, ten (10) acres;
- The SE\*, Section 21, and Lots 5-12, Block 5, Paradise Heights No. 2, five (5) acres;

Providing, however, that any tract which is an original platted tract from Paradise Heights or Paradise Heights No. 2 may be divided one time without violating this provision. Pre-existing parcels below the minimum acreage are allowed.

PERMITTED USES. Single family dwellings, accessory buildings and uses incidental to the allowed uses are allowed. Each parcel may have one additional residence in addition to the primary residence. Any agricultural use, excepting raising of any pigs, and feed lots, shall be allowed. Feed lot operation consists of any property on which fifteen (15) or more animals are held for market and on which more than 65% of the feed for the animals is supplementally provided from off-premises.

Home based businesses which do not create a nuisance as defined by Montana law are allowed. The business can have no more than three non-resident employees. The business shall be conducted within the home or within a shop less than 1500 square feet in size which may be separate from the residence.

#### PROHIBITED USES.

- mobile homes (except for temporary shelter while the home is being but tor repaired) shall not exceed 18 months.
- apartments, condominiums, townhouses, or multiplexes;
- mobile home parks;
- RV parks and private campgrounds;
- commercial businesses other than home based:

- restaurants, bars and clubhouses;
- hotels and lodging house;
- school dormitories, drug or alcohol treatment centers, prisons and any other group quarters, except as provided in Section 76-2-412;
- more than one sign and signs over 4 sq. ft. in size;
- post and pole plants, outdoor stationary saw mills, or any business requiring daily and prolonged use of chainsaws, planers, etc. outdoors;
- open storage of junk, junk cars, or junk car parts;
- sand or gravel pits;
- radio, tv or communication towers higher than 50 ft. or requiring separate lights;
- kennels;
- mini-storage businesses;
- any other activity that constitutes a nuisance.

#### DEFINITIONS.

### Accessory Building:

A subordinate building devoted to a use incidental to the main use. Separate parts of a building divided by an unpierced wall shall be deemed separate buildings.

#### Agricultural Use:

The practice of cultivating the soil, producing crops, and raising and managing livestock. Does not include feed lots.

#### Apartments:

A building with three or more separate units consisting of a room or suite of rooms which include bath and kitchen accommodations, intended or designed to be used as an independent residence by an individual or family.

#### Condominium:

A form of multi-family dwelling in which an independently owned apartment is located in a building and on land, both of which are commonly owned, usually by a homeowners' association.

#### Family:

One or more persons occupying a dwelling unit as a single, nonprofit, housekeeping organization. No more than five members may be unrelated.

#### Hotel:

A building with ten or more sleeping rooms

which are provided to transient guests for compensation.

Kennel:

A place where five or more canines are kept, whether as pets or commercially.

Lodging House:

A building where lodging is provided by prearrangement and for compensation.

Mobile Home:

A prefabricated housing unit defined and regulated under the National Mobile Home Construction and Safety Standards Act of 1974.

Mini-Storage Units:

Multiple storage buildings, usually attached with common walls, available for leasing.

Multiplex:

A building designed to be the residence of two or more families living independently of each other.

RV Park or Camparound:

A site used for temporary parking of two or more motor homes, travel trailers or tents for commercial or group use.

Townhouse:

A form of multi-family dwelling in which the owner of each unit shares the joint ownership of common land.

Parcel:

A tract of land separately described in a certificate of survey or subdivision plat.

Employee:

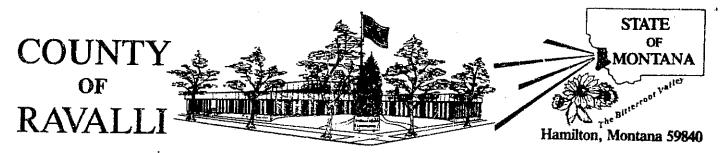
individual performing work business, whether as an officer, employee, independent contractor or otherwise, whether paid or unpaid.

Attest: Setty T Sund Clerk and Recorder

PASSED AND APPROVED THIS 1ST DAY OF FEBRUARY 1993

BOARD OF COUNTY COMMISSIONERS

Steven D. Powell. Chairman



## NOTICE OF PUBLIC HEARING

The Board of County Commissioners of Ravalli County hereby notify you that they will hold a public hearing on Thursday, December 3, 1992 at 1:30 p.m. at their offices at the Ravalli County Courthouse, 205 Bedford Street, Hamilton, Montana.

The purpose of this meeting is to take public comment on the proposed voluntary zoning district on a tract of land known as the Canyon-Paradise Heights Voluntary Zoning District:

W1/2 SW1/4 SW 1/4, Section 15, the SE 1/4 SE 1/4, Section 16, all of Section 21 and the W1/2 NW 1/4, Section 22 and Lots 5-12, Block 5, Paradise Heights No. 2, all in Township 6 North, Range 21 Upst, Ravalli County, Montana.

Steven D. Powell, Member

Board of Ravalli County Commissioners

Please publish November 18 and November 25

STATE OF MONTANA. ) 88. County of Ravalli ) Pam Nelson duly sworn, deposes and says that she is the principal clerk of the publisher of the Ravalli Republic, a daily newspaper of general circulation, printed and published in Hamilton, Ravalli County, Montana, and that the subjoined notice, a copy of which is hereto attached, was published in the regular and entire issue of said paper successive weeks. commencing on the day of November 1992 and published on the following dates thereafter: November 25, 1992 Subscribed and sworn to before me this 30th day of Hovember 1992 Notary Public for the State of Montana,

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Steven D. Powell, Member Board of Ravalli County Commissioners

4463 RB 11/18/92 and 11/25/

Residing at Hamilton, Montana,

My commission expires 5/15/95

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Se. 7	Co.
Dept.	Phone #
Fax # 363-176	7 Fax#

## NOTICE OF INTENT TO CREATE A ZONING DISTRICT

On December 23.4, 1992, the BOARD OF COUNTY COMMISSIONERS, Ravalli County, passed a resolution of intent to create a zoning district in the Canyon Paradise Heights Subdivision area.

The district is being proposed to allow growth in the community while preserving low population density, adequate light and air, prevent the overcrowding of land, avoid undue concentration of population, pretect the watershed and preserve open space for wildlife habitate and natural vegetation. The district is to preserve the area as one of single family residences, limiting commercial activity to home base enterprises and to provide that future owners of the property do not change the essential character of the area as it is today.

Copies of the proposed regulations are on file at the office of the Clerk and Recorder at the Rayalli County courthouse.

For thirty (30) days after the first publication of this notice, the BDARD OF COUNTY COMMISSIONERS will receive written protests to the creation of this zoning district or to the zoning regulations, from persons in the district whose names appear on the last completed assessment roll of the County.

LEGAL DESCRIPTION OF THE CANYON PARADISE HEIGHTS AREA:

The area to be zoned consists of the W1/2 SW1/4 SW1/4, Section 15, the SE1/4 SE1/4, Section 16, all of Section 21 and the W1/2 NW1/4, Section 22 and Lots 5-12, Block 5, Paradise Heights No. 2, all in Township 6 North, Range 21 West, Ravalli County, Montana.

BOARD OF COUNTY COMMISSIONERS

Jerry V. Allen, Chairman

Steven D. Powell, Member

Allen C. Horsfall Jr. Member

mkt

Please publish 12/30/92 and 1/6/93

## Affidavit of Publication

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STATE OF MONTANA, ) 55. County of Ravalli Pam Nelson .being duly sworn, deposes and says that she is the principal clerk of the publisher of the Ravalli Republic, a daily newspaper of general circulation, printed and published in Hamilton, Ravalli County, Montana, and that the subjoined notice, a copy of which is hereto attached, was published in the regular and entire issue of said paper \_\_\_\_ successive weeks, commencing on the \_\_\_ December 1992 day of\_\_\_ and published on the following dates thereafter: January 5,1993 Signed Subscribed and sworn to before me this 29th Notary Public for the State of Montana, Residing at Hamilton, Montana,

My commission expires 5/16/95

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Board Of County Commissioner Is/Jerry L. Allen, Chairman Is/ Steven D. Powell, Member /s/ Allen C. Horsfall, Jr. Membe #516 RR:1 2/30/1992, 1/6/1993

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# MINUTES Canyon Paradise Heights Voluntary Zoning Petition December 3, 1992, 1:30 p.m.

Commissioner Jerry Allen read the "Notice of Public Hearing" which was published in the Ravalli Republic on November 18 and November 25. Those in attendance in the audience were: Maureen O'Brien, Mark Rhodes, Greg Bell, George Masnick, Rick Torre, Eleanor Albert, Larry Johnson, Bill Pilling, Russ Lawrence and Ken Gardner.

Commissioner Allen Horsfall read the letter George Corn, County Attorney wrote, dated November 24, 1992. Briefly, some of George's concerns were Sections 76-2-2-209, 76-1-113, and 76-2-412, MCA relating to those laws that are in affect irrespective of zoning. George feels that the petitioners should be aware of George had concerns under "Density", in that these statutes. there might be a misunderstanding of the last lines of the last sentence which ends, "minimum acreage". George feels this should be "minimum lot size". Under "Permitted Uses", George had some confusion with guest house or employee quarters loosely defined. George was also concerned with the number of employees a business. could have not being clearly spelled out. Under "Prohibitive Uses,", there were questions with supporters of the zone having prohibited things that they are not allowed to prohibit. His final concern regards enforcement of the zone. George's letter is hereto attached for further examination.

Commissioner Jerry Allen asked for opponents to the district:

Rick Torre (It is noted that the file contains a letter from Nancy Torre stating that she gives her permission for Rick to speak on her behalf concerning the proposed zoning measures.) Rick stated that since the petition stated the purpose of the zone was to "preserve the area", he did not see where or how this would be accomplished with the petition either in intent or through specific language.

Greg Bell spoke his concerns in opposition in that he felt the petition, as written, promoted subdivision. He felt it a person has ten acres and wants a third residence, in order to get that third residence, he has to subdivide, i.e. two five's with two residences on each five. He has questions regarding ownership of same. Greg has questions as to the number of animals allowed in the zone.

Ken Gardner spoke in opposition to the petition stating the petition would prohibit subdivision of property into three parcels which contradicts the covenants already on the property

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Commissioner Jerry Allen at this point asked for proponents to the petition.

George Masnick said the intention of the petition was to allow the neighborhood to continue to develop the way it has already developed and to promote some control on the density. This is the purpose for the ten acre and the five acre zones. The language "average of five acres" was to prevent clustering of houses. The group compiling the petition were not thinking about an individual owner trying to put as many houses as possible on property. Language was not constructed at the time to try and deal with that problem and it was hoped that language could be constructed reflecting same.

Tim Schwecke had questions regarding why the five acre minimum on one part of the district and ten acre on the remainder. George Masnick explained that the original ten acre tracts are on a flat area and fairly well roaded. The other areas are more onhillsides, timber and fewer roads. Enough people in the flat area felt that five acre tracts were more suitable for their area and the group tried to accommodate this. The line follows the original ten acre divisions.

After a lengthy discussion, the basic intent was agreed that they wanted to allow an accessory dwelling to the primary resident on a five acre tract and not allow any further subdivision. On a ten acre piece, subdivision would be allowed once. Existing lots of record that are over five acres can be subdivided once. The key argument Greg was making is that in order to support three households within the same ownership, you are forced to subdivide. Greg's fear appeared to not be ownership but an added incentive to sell ground thereby creating another property owner. Allen Horsfall suggested there be wording in the petition to where four houses on ten acres be allowed, but that there doesn't have to be the actual change of ownership unless the property is sold. In other words you would not be required to go through the subdivision process unless the land is sold. Mr. Horsfall's concerns also went to enforcement of the zone. Greg offered to be left out of the zone entirely as his property is on the boundary of the proposed zone. Greg did not sign the original petition.

Commissioner Allen called for further proponents:

Russ Lawrence spoke in favor of the petition.

There being no further proponents - Chairman Jerry Allen asked the Commissioners for the comments.

Commissioner Allen Horsfall pointed out that under "Area to be zoned" there was a mistake in that the zone is actually in Range 21 rather than 31 as stated. Also under "Density" George Corn's

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letter suggested that "minimum acreage" should read "minimum lot size".

A copy of George Corn's letter with his recommendations is attached hereto to these minutes and were discussed at this meeting.

Commissioner Horsfall had a concern with the phrase "pig farm"is this one pig or one hundred pigs? The Commission suggest a
number be assigned to this statement for future reference. After
discussion it was decided that no pigs would be allowed.

Commissioner Horsfall also felt that a distinction needed to be made as to what animals a limit of 15 was being placed.

The discussion moved to "Home Based Businesses". The concern was how many non-resident employees the business could have. It was agreed that the petition should read the no more than three non-resident employees are permitted.

Tim Schwecke had a concern that there might be some misunderstanding under "Permitted Uses" listed is single family dwellings and under "Prohibited Uses" listed is apartments. Apartments have been defined as a building with three or more separate units. Have duplexes been left out on purpose? There is a gap here that duplexes are allowed.

The Commission will consider this petition until such time they decide whether or not to pass a Resolution of Intent. If this Resolution is enacted the freeholders have 30 days from the date of the first publication of this Resolution to comment. If 40% of the freeholders object to the petition, the issue is dead not to be considered again for one year.

PF-7746





Novmeber 9, 1992

TO: RAVALLI COUNTY COMMISSIONERS

FROM: RAVALLI COUNTY CLERK & RECORDER Solly 7. June

RE: GEORGE M. MASNICK VOLUNTARY ZONING PETITION

Attached please find the George M. Masnick Zoning Petition that was presented to me for signature approval. We find that there are 45 correct freeholder signatures out of a possible 53, which calculates to be 84%.

As per 76-2-101 MCA you are authorized and empowered to order and create a planning and zoning district after the appropriate public hearings.

If you have any questions, please feel free to contact me. Thank you.

#### PETITION TO CREATE A ZONING DISTRICT

INTRODUCTION. The Petitioners request that the Ravalli County Commissioners establish a voluntary zoning district. The district is created to allow growth in the community while preserving low population density, adequate light and air, prevent the overcrowding of land, avoid undue concentration of population, protect the watershed and preserve open space for wildlife habitat and natural vegetation. The district is to preserve the area as one of single family residences, limiting commercial activity to home base enterprises and to provide that future owners of the property do not change the essential character of the area as it is today.

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Providing, however, that any tract which is an original platted tract from Paradise Heights or Paradise Heights No. 2 may be divided one time without violating this provision. Pre-existing parcels

below the minimum acreage are allowed.

PERMITTED USES. Single family dwellings, accessory buildings and uses incidental to the allowed uses are allowed. Each parcel may have one additional residence which may be a guest house or employee quarters in addition to the primary residence. Any agricultural use, excepting pig farms and feed lots, shall be allowed. Feed lot operation consists of any property on which fifteen (15) or more animals are held for market and on which more than 65% of the feed for the animals is supplementally provided from off-premises.

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which may be separate from the residence.

PROHIBITED USES.

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apartments, condominiums or townhouses;

mobile home parks;

RV parks and private campgrounds;

commercial businesses other than home based;

restaurants, bars and clubhouses;

 school dormitories, drug or alcohol treatment centers, prisons and any other group quarters;

signs of more than 4 sq. ft.;

post and pole plants, outdoor stationary saw mills, or any business requiring daily and prolonged use of chainsaws, planers, etc. outdoors;

open storage of junk, junk cars, or junk car parts;

sand or gravel pits;

 radio, tv or communication towers higher than 50 ft. or requiring separate lights;

kennels;

mini-storage businesses:

- any other activity that constitutes a nuisance.

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Condominium:

Hotel:

Kennel:

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A form of multi-family dwelling in which an independently owned apartment is located in a building and on land, both of which are commonly owned, usually by a homeowners' association.

A building with ten or more sleeping rooms which are provided to transient guests for compensation.

A place where five or more canines are kept, whether as pets or commercially.

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Accessory Building: A subordinate building devoted to incidental to the main use. Separate parts of a

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Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1992

STATE OF Montana )  County of Kavalli ; ss.  On this ward day of state aforesaid, personally appeared sorge S Masnick
ß ": ss.
County of Rayalli )
On this day of, 1992, before me the
anneared (force \ Marnick
appeared Gorge 5 Masnick known to me to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that she/he/they
executed the same.
, IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.
Att Them
Notary Public for the State of Fintana
Residing at Hamilton, MT
Notary Public for the State of Antona Residing at Ham/Im My Commission expires Pn/19/1994
STATE OF) : ss.
County of ) On this day of, 1992, before me the undersigned, a Notary Public for the State aforesaid, personally
On this day of, 1992, before me the
undersigned, a Notary Public for the State aforesaid, personally
appeared
known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that she/he/they
executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
Notarial Seal the day and year first above written.
Notary Public for the State of
Residing at
My Commission expires
CMAOTE ATE
STATE OF; ss.
County of
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Residing at
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#### PETITION TO CREATE A ZONING DISTRICT

INTRODUCTION. The Patitioners request that the Ravalli County Commissioners establish a voluntary zoning district. The district is created to allow growth in the community while preserving low population density, adequate light and air, prevent the overcrowding of land, avoid undue concentration of population, protect the watershed and preserve open space for wildlife habitat and natural vegetation. The district is to preserve the area as one of single family residences, limiting commercial activity to home base enterprises and to provide that future owners of the property do not change the essential character of the area as it is today.

Township 6 North, Range 31 West, Ravalli County, Montana.

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BOUNDARY LINE ADJUSTMENTS. Nothing in this zoning plan shall prohibit adjustment of boundary lines between adjacent property owners, as long as no additional parcels are created.

MINIMUM LOT SIZE. The minimum lot size is as follows:

- 1. The W\(\frac{1}{2}\)SW\(\frac{1}{2}\)SW\(\frac{1}{2}\), Section 15, the N\(\frac{1}{2}\) and SW\(\frac{1}{2}\) of Section 21 and the W\(\frac{1}{2}\)NW\(\frac{1}{2}\) of Section 22, ten (10) acres;
- 2. The SE%, Section 21, and Lots 5-12, Block 5, Paradise Heights No. 2, five (5) acres;

Providing, however, that any tract which is an original platted tract from Paradise Heights or Paradise Heights No. ? may be divided one time without violating this provision. Pre-existing parcels below the minimum acreage are allowed.

PERMITTED USES. Single family dwellings, accessory buildings and uses incidental to the allowed uses are allowed. Each parcel may have one additional residence which may be a guest house or employee quarters in addition to the primary residence. By agricultural use, excepting pig farms and feed lots, shall be allowed. Feed lot operation consists of any property on which liteen (15) or more animals are held for market and on which more than 65% of the feed for the animals is supplementally provided from off-premises.

Home based businesses which do not create a nuisance as defined by Montana law are allowed. The business can have no more than five employees on the property during any two week period and can have no more than three employees who work on the property, but do not reside there during any two week period. The business shall be conducted within the home or within a shop less than 1500 square feet in size

which may be separate from the residence.

mobile homes (except for temporary shelter while the home PROHIBITED USES. is being built or repaired) shall not exceed 18 months.

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mobile home parks;

RV parks and private campgrounds;

commercial businesses other than home based;

restaurants, bars and clubhouses; school dormitories, drug or alcohol treatment centers, prisons and any other group quarters;

post and pole plants, outdoor stationary saw mills, or any signs of more than 4 sq. ft.; business requiring daily and prolonged use of chainsaws, open storage of junk, junk cars, or junk car parts; planers, etc. outdoors;

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kennels;

mini-storage businesses:

any other activity that constitutes a nuisance.

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A place where five or more canines are kept, whether as pets or commercially.

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(Signature)

Dated this \_\_\_\_ day of \_\_\_\_

(Type or Frint Name)

STATE OF)
: ss.
County of) On this day of, 1992, before me the undersigned, a Notary Public for the State aforesaid, personally
undergrand a Netawa Dublic for the Ctate aforegaid percentile
anneared
known to me to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that she/he/they
executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
Notarial Seal the day and year first above written.
Moderal bear one day and year riest above written.
Notary Public for the State of
Residing at
Residing at,,
STATE OF)
: ss.
County of)
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AREA TO BE ZONED. The area to be zoned consists the Waswaswa, Section 15, the SE\SE\, Section 16, all of Section 21 and the W\nW\, Section 22 and Lots 5-12, Block 5, Paradise Heights No. 2, all in Township 6 North, Range 31 West, Ravalli County, Montana.

DENSITY. Further subdivision of existing parcels will be allowed down to the established minimum average. The minimum average means that one or more parcels can be subdivided or reconstituted in any manner as long as the average acreage of the parcels resulting from the subdivision or reconstitution exceeds the minimum acreage.

BOUNDARY LINE ADJUSTMENTS. Nothing in this zoning plan shall prohibit adjustment of boundary lines between adjacent property

owners, as long as no additional parcels are created.

MINIMUM LOT SIZE. The minimum lot size is as follows:

- the WaNWa of Section 22, ten (10) acres;
- The SE%, Section 21, and Lots 5-12, Block 5, Paradise Heights No. 2, five (5) acres;

Providing, however, that any tract which is an original platted tract from Paradise Heights or Paradise Heights No. 2 may be divided one time without violating this provision. Pre-existing parcels

below the minimum acreage are allowed.

PERMITTED USES. Single family dwellings, accessory buildings and uses incidental to the allowed uses are allowed. Each parcel may have one additional residence which may be a guest house or employee quarters in addition to the primary residence. Any agricultural use, excepting pig farms and feed lots, shall be allowed. operation consists of any property on which fifteen (15) or more animals are held for market and on which more than 65% of the feed for the animals is supplementally provided from off-premises.

Home based businesses which do not create a nuisance as defined by Montana law are allowed. The business can have no more than five employees on the property during any two week period and can have no more than three employees who work on the property, but do not reside there during any two week period. The business shall be conducted within the home or within a shop less than 1500 square feet in size

which may be separate from the residence.

#### PROHIBITED USES.

- mobile homes (except for temporary shelter while the home is being built or repaired) shall not exceed 18 months.
- apartments, condominiums or townhouses;
- mobile home parks;
- RV parks and private campgrounds;
- commercial businesses other than home based;
- restaurants, bars and clubhouses;
- school dormitories, drug or alcohol treatment centers, prisons and any other group quarters;
- signs of more than 4 sq. ft.;
- post and pole plants, outdoor stationary saw mills, or any business requiring daily and prolonged use of chainsaws, planers, etc. outdoors;
- open storage of junk, junk cars, or junk car parts;
- sand or gravel pits;
- radio, tv or communication towers higher than 50 ft. or requiring separate lights;
- kennels;
- mini-storage businesses;
- any other activity that constitutes a nuisance.

#### DEFINITIONS.

Accessory Building: A subordinate building devoted to a use incidental to the main use. Separate parts of a building divided by an unpierced wall shall be deemed separate buildings.

Agricultural Use:

The practice of cultivating the soil, producing crops, and raising and managing livestock. Does not include feed lots.

Apartments:

A building with three or more separate units consisting of a room or suite of rooms which include bath and kitchen accommodations, intended or designed to be used as an independent residence by an individual or family.

Condominium:

A form of multi-family dwelling in which an independently owned apartment is located in a building and on land, both of which are commonly owned, usually by a homeowners' association.

Hotel:

A building with ten or more sleeping rooms which are provided to transient guests for compensation.

Kennel:

A place where five or more canines are kept, whether as pets or commercially.

Lodging House:

A building where lodging is provided by prearrangement and for compensation.

Mobile Home:	A prefabricated housing unit defined and regulated under the Mational Mobile Home Construction and Safety Standards Act of 1974.
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Townhouse:	A form of multi-family dwelling in which the owner of each unit shares the joint ownership of common land.
<u>Parcel</u> :	A tract of land separately described in a certificate of survey or subdivision plat.
Employee:	An individual performing work for the business, whether as an officer, employee, independent contractor or otherwise, whether paid or unpaid.
Legal Description of	f Property:
	DESCRIPTION SEC TWNSP RANGE HTS #2 PT 9 5 PLAT #408 LOT 9-A
X	Signature)
	JEROME HAMMOND
	(Type or Print Name)
	Dated this day of, 1992
Х	(Signature)
	ANA LUISA HAMMOND
	(Type or Print Name)
	Dated this day of, 1992
	(Signature)
	(Type or Print Name)
	Dated this day of, 1992

STATE OF)
County of
On this day of
County of) On this day of, 1992, before me the undersigned, a Notary Public for the State aforesaid, personally appeared
known to me to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that she/he/they
executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.
and the day and year rist above written.
Notary Public for the State of
Residing at
Residing at,
STATE OF
STATE OF) ss.
County of
On this day of
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appearedknown to me to be the person(s) whose name(s) is/are subscribed to the within instrument and asknowledged to that the first t
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Parcel:	A tract of land separately decertificate of survey or subdivis	sion plat.
Employee:	An individual performing work for whether as an officer, employe contractor or otherwise, whether	e, independent
Legal Description of	of Property:	LOT BLOCK
PROPERTY	DESCRIPTION	SEC TWNSP RANGE
IN SWNW	INDEX 7	22 6 21
SUBJ TO	EASEMENT 138-186	
15.9 AC	TRACT B	
, and the second		er eve verv
	Breit C. Hames	
X	(Signature)	
	BRENT C. HOLMES	-
•	(Type or Print Name)	
	Dated this Z day of Accest	, 1992
·	Beth D. Holmes	
, a	(Signature)  BETH D. HOLMES	
<b>X</b>	(Type or Print Name)	
	Dated this 2" day of AUGUST	1992
	(Signature)	
	(Type or Print Name)	
	nated this day of	. 1992

Management and American Applications of the Applications of the

PF-7746

STATE OF	) : ss.		
County of	, 55.		_, 1992, before me the aforesaid, personally
On this	day of	·	_, 1992, before me the
undersigned, a	Notary Public	for the State	aforesaid, personally
known to me to	be the person(s	;) whose name(s	) is/are subscribed to
the within ins	strument and a	cknowledged to	me that she/he/they
	*** ^		
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	Notary Public f	or the State o	ř
	Residing at		
	My Commission e	xpires	
STATE OF	)		
	: ss.		
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	Notary Public !	for the State o	of
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Legal Description of	f Property:
PROPERTY DEPARADISE HEAD SUB (S.70 AC	
X	(Signature)  MAUREEN O'BRIEN
	(Type or Print Name)
	Dated this day of, 1992
	(Signature)
	(Type or Print Name)
	Dated this, 1992
	(Signature)
	(Type or Print Name)
	Dated this day of, 1992

精素 から / 第三文 から

STATE OF)
: SS.
County of
undersigned, a Notary Public for the State aforesaid norganally
known to me to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that she/he/they
executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
Notarial Seal the day and year first above written.
Notary Public for the State of
Residing at
My Commission expires
STATE OF)
: ss.
County of) On this day of, 1992, before me the
undergrand a Notary Bublic for the
undersigned, a Notary Public for the State aforesaid, personally appeared
known to me to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that she/he/they
executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
Notarial Seal the day and year first above written.
Notary Public for the State of
Notary Public for the State of
Residing at
STATE OF)
: Ss.
County of)
UN UNIS DAY OF 1000 hofows we the
undersigned, a Notary Public for the State aforesaid, personally
appeared
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## PETITION TO CREATE A ZONING DISTRICT

INTRODUCTION. The Petitioners request that the Ravalli County Commissioners establish a voluntary zoning district. The district is created to allow growth in the community while preserving low population density, adequate light and air, prevent the overcrowding of land, avoid undue concentration of population, protect the watershed and preserve open space for wildlife habitat and natural vegetation. The district is to preserve the area as one of single family residences, limiting commercial activity to home base enterprises and to provide that future owners of the property do not change the essential character of the area as it is today.

AREA TO BE ZONED. The area to be zoned consists the Waswaswa, Section 15, the SEASEA, Section 16, all of Section 21 and the Wanwa, Section 22 and Lots 5-12, Block 5, Paradise Heights No. 2, all in

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DENSITY. Further subdivision of existing parcels will be allowed down to the established minimum average. The minimum average means that one or more parcels can be subdivided or reconstituted in any manner as long as the average acreage of the parcels resulting from the subdivision or reconstitution exceeds the minimum acreage.

BOUNDARY LINE ADJUSTMENTS. Nothing in this zoning plan shall prohibit adjustment of boundary lines between adjacent property owners, as long as no additional parcels are created.

MINIMUM LOT SIZE. The minimum lot size is as follows:

- 1. The W\(\frac{1}{2}\)SW\(\frac{1}{2}\), Section 15, the N\(\frac{1}{2}\) and SW\(\frac{1}{2}\) of Section 21 and the W\(\frac{1}{2}\)NW\(\frac{1}{2}\) of Section 22, ten (10) acres;
- 2. The SE<sup>1</sup>, Section 21, and Lots 5-12, Block 5, Paradise Heights No. 2, five (5) acres;

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mobile homes (except for temporary shelter while the home is being built or repaired) shall not exceed 18 months.

apartments, condominiums or townhouses;

mobile home parks;

RV parks and private campgrounds;

commercial businesses other than home based;

restaurants, bars and clubhouses;

school dormitories, drug or alcohol treatment centers, prisons and any other group quarters;

signs of more than 4 sq. ft.;

post and pole plants, cutdoor stationary saw mills, or any business requiring daily and prolonged use of chainsaws, planers, etc. outdoors;

open storage of junk, junk cars, or junk car parts;

sand or gravel pits;

radio, tv or communication towers higher than 50 ft. or requiring separate lights;

kennels;

mini-storage businesses;

any other activity that constitutes a nuisance.

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guests transient provided to

compensation.

A place where five or more canines are kept, Kennel:

whether as pets or commercially.

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Employee:	An individual performing work for the business, whether as an officer, employee, independent contractor or otherwise, whether paid or unpaid.
Legal Description of	Property:
PROPERTY DE IN SESW INC CS #2292 20 AC	DEX 9 21 6 21
¥	(Signature)
	RUSSELL M. PARSONS (Type or Print Name)
×	Dated this day of _AVE, 1992
	(Signature)
	TLEEN R. PARSONS (Type or Print Name)
	Dated this/_ day of, 1992
	(Signature)
•	(Type or Print Name)
	Dated this day of . 1992

: ss.
County of) On this day of, 1992, before me the undersigned, a Notary Public for the State aforesaid, personally
On this day of, 1992, before me the
anneared
<pre>appeared known to me to be the person(s) whose name(s) is/are subscribed to</pre>
the within instrument and acknowledged to me that she/he/they
executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
Notarial Seal the day and year first above written.
Notary Public for the State of
Residing at,,
My Commission expires
STATE OF) : ss.
: SS.
County of \ On this day of, 1992, before me the undersigned a Notary Public for the State aforesaid personally
Un this day or, 1992, before me the
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Notary Public for the State of
Residing at
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- apartments, condominiums or townhouses;
- mobile home parks;
- RV parks and private campgrounds;
- commercial businesses other than home based;
- restaurants, bars and clubhouses;
- school dormitories, drug or alcohol treatment centers, prisons and any other group quarters;
- signs of more than 4 sq. ft.;
- post and pele plants, outdoor stationary saw mills, or any business requiring daily and prolonged use of chainsaws, planers, etc. outdoors;
- open storage of junk, junk cars, or junk car parts;
- sand or gravel pits;
- radio, tv or communication towers higher than 50 ft. or requiring separate lights;
- kennels;
- mini-storage businesses;
- any other activity that constitutes a nuisance.

#### DEFINITIONS.

**Hotel:** 

\* 1

Accessory Building: A subordinate building devoted to a use incidental to the main use. Separate parts of a building divided by an unpierced wall shall be

deemed separate buildings.

Agricultural Use: The practice of cultivating the soil, producing crops, and raising and managing livestock. Does

not include feed lots.

Apartments: A building with three or more separate units

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Lodging House: A building where lodging is provided by

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Parcel:	A tract of land separately described in a certificate of survey or subdivision plat.
Employee:	An individual performing work for the business, whether as an officer, employee, independent contractor or otherwise, whether paid or unpaid.
Legal Description of	Property:
PROPERTY D	LOT BLOCK
IN SENE IN	DEV 21
CS #3718 T	
4.65 AC	
	m II
X	10 la E The
,	(Signature)
	MARK E. RHODES
	(Type or Print Name)
	Dated this 3 day of July, 1992
	(Signature)
•	(Signature,
	(Type or Print Name)
the same	Dated this day of, 1992
	(Signature)
	(Type or Print Name)
	Dated this day of, 1992

STATE OF
County of
On this day of 1992, before me the
County of) On this day of, 1992, before me the undersigned, a Notary Public for the State aforesaid, personally appeared
known to me to be the person(s) whose name(s) is/are subscribed to
the within instrument and acknowledged to me that she/he/they
executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
Notarial Seal the day and year first above written.
• •
Notary Public for the State of
Residing at,,,
My Commission expires
STATE OF
STATE OF) : ss.
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#### DEFINITIONS.

Hotel:

Kennel:

Lodging House:

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Legal Description o	f Property:			
PROPERTY (				
PARADISE	DESCRIPTION         SEC TWNSP RANGE           HTS #2         5 E 6 5           #188 LOT 7         PT 7 E 8 5			
31.885 AC	Memorite F. F. A. P. T.			
IN ARTHUR STREET, IN COLUMN TO SERVICE AND ARTHUR STREET, AND ARTHUR S				
v	Mora En Burge Walle			
X	(Signature)			
	(Signature)  MARC EUBERNE WALKER			
	(Type or Print Name)			
Dated this day of, 1992				
	(Signature)			
	(Type or Print Name)			
	Dated this day of, 1992			
	(Signature)			
	(Type or Print Name)			
	Dated this day of, 1992			

STATE OF	
County of ), 1992 On this day of, 1992	, before me the
undersigned, a Notary Public for the State alores	aid, personally
to me to be the person(s) whose name(s) 15/dI	e subscribed to
the within instrument and acknowledged to me to	lat sne/ne/they
IN WITNESS WHEREOF, I have hereunto set my hand	and affixed mv
Notarial Seal the day and year first above written.	
Notarial Seal the day and year 12100 and the	
Notary Public for the State of	<u>,</u>
Residing at,,	
My Commission expires	
STATE OF)	
STATE OF	
County of ) On this day of, 1992	hefore me the
undersigned, a Notary Public for the State afores	aid, personally
appeared known to me to be the person(s) whose name(s) is/an	ce subscribed to
the within instrument and acknowledged to me t	hat she/he/they
evenuted the same.	
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Notary Public for the State of	
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STATE OF)	
: ss.	
County of ) On this day of, 199 undersigned, a Notary Public for the State afore:	
On this, lay of, 199	2, before me the
	said, personally
appeared known to me to be the person(s) whose name(s) is/a	re subscribed to
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## Legal Description of Property:

PROPERTY DESCRIPTION	SEC	BLOCK TWNSP	RANGE 21
IN NWSE INDEX 5	21	6	
CS #2457 TRACT F		<del> </del>	
10.14 AC	OT	BLOCK	
PROPERTY DESCRIPTION	LOT	_ <del>_</del>	RANGE
IN SWNE INDEX 16	21	1 WN 5 P	ZI
TRACT A CS #1729		· · · · · · · · · · · · · · · · · · ·	
1.53 AC			
	Lor	BLOCK	
PROPERTY DESCRIPTION	SEC	TWNSP	RANGE
PARADISE HTS	1	1	
11.72 AC	• .		•
X (Signature)  MICHAEL H. WEST  (Type or Print Name)			
Dated this 39 day of Suly	,	, 1992	
(Signature)  KARLA J. WEST			
KARLA J. WEST		<del></del>	····
(Type or Print Name)			
Dated this 29 day of July		, 1992	

)
Ss.
county or)
County of ) On this day of, 1992, before me thundersigned, a Notary Public for the State aforesaid, personally
anneared a Notary Public for the State aforesaid, personally
known to me to 1
appearedknown to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that she/ho/the
the within instrument and acknowledged to me that she/he/the
TN WITHERC WITHING -
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above with a
Notarial Seal the day and year first above written.
Notary Public for the control
Notary Public for the State ofResiding at
My Commission expires
Residing at
STATE OF)
ss.
County of ) On this day of, 1992, before me the undersigned, a Notary Public for the State aforesaid, personally known to me to be appeared
On this day of
undersigned, a Notary Public for the Garage, 1992, before me the
appeared rubilc for the State aforesaid, personally
AMOWN CO ME LO DO The possession (-)
the within instrument and acknowledged to me that she/he/they
executed the same.
IN WITNESS WHEREOF T have been
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.
- 1 12200 dbove wilden.
Notary Public for the State ofResiding at
Residing at
Residing at
CMAME OF
STATE OF)
County of
County of)
County of) On this day of, 1992, before me the undersigned, a Notary Public for the State aforesaid, personally known to,
appeared, a Notary Public for the State aforesaid personally
known to me to be solidily
known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me the them.
the within instrument and acknowledged to me that she/he/they
Th withher the same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written
Notarial Seal the day and year first above written.
Notary D. L. T.
Notary Public for the State ofResiding at
wastatud at
Residing at

### CERTIFICATE OF ACKNOWLEDGEMENT

County of Ravalli	
on this 23 hd day of fin the year 1992, before me RHG T. Lund before me RHG That aforesaid personally appeared:	a
before me Kt/L T. Lund Notary Public for the State aforesaid personally appeared:	
DAVID F. AND JANICE M. BOURGEOIS	,
PAULA L. AND STEVEN L. FACKEY	r
JEROME AND ANA LUISA HAMMONS	
BRENT C. AND BETH D. HOLMES	
CERTER S MASSICK AND REISH A. KAHN	,
MAUREEN O'BRIEN	,
RUSSELL M. AND ILEEN R. PARSONS	,
MARK E. RHODES	
MARC EUBERNE WALKER	. 7
MICHAEL H. AND KARLA J. WEST	, <b>r</b>
	.,
	.,
known to me (or proved to me on the oath of	
to be the person whose name is subscribed to the within	
to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she or they) executed the same.	
IN WITNESS WHEREOF, I have hereunto set my hand and affixemy Notarial Seal the day and year first above written.	:d
Beth T. Seund	
Notary Public for the State of Mintana  Residing at Hamilton MT	
Residing at Hamilton, MT.  Notary Public for the State of Mintan.  Residing at Hamilton, MT.  Ny, Commission expires 1200. 19, 1994	

TO THE WASHINGTON TO THE WOOD OF THE STATE O

#### PETITION TO CREATE A ZONING DISTRICT

INTRODUCTION. The Petitioners request that the Ravalli County ommissioners establish a voluntary zoning district. The district is created to allow growth in the community while preserving low population density, adequate light and air, prevent the overcrowding of land, avoid undue concentration of population, protect the watershed and preserve open space for wildlife habitat and natural vegetation. The district is to preserve the area as one of single family residences, limiting commercial activity to home base enterprises and to provide that future owners of the property do not change the essential character of the area as it is today.

AREA TO BE ZONED. The area to be zoned consists the SSW4SW4, Section 15, the SE4SE4, Section 16, all of Section 21 and the W4NW4, Section 22 and Lots 5-12, Block 5, Paradise Heights No. 2, all in

Township 6 North, Range 31 West, Ravalli County, Montana.

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Home based businesses which do not create a nuisance as defined by Montana law are allowed. The business can have no more than five employees on the property during any two week period and can have no more than three employees who work on the property, but do not reside there during any two week period. The business shall be conducted within the home or within a shop less than 1500 square feet in size which may be separate from the residence.

- mobile homes (except for temporary shelter while the home is being built or repaired) shall not exceed 18 months.
- apartments, condominiums or townhouses;
- mobile home parks;
- RV parks and private campgrounds;
- commercial businesses other than home based;
- restaurants, bars and clubhouses;
- school dormitories, drug or alcohol treatment centers, prisons and any other group quarters;
- signs of more than 4 sq. ft.;
- post and pole plants, outdoor stationary saw mills, or any business requiring daily and prolonged use of chainsaws, planers, etc. outdoors;
- open storage of junk, junk cars, or junk car parts;
- sand or gravel pits;
- radio, tv or communication towers higher than 50 ft. or requiring separate lights;
- kennels;
- mini-storage businesses;
- any other activity that constitutes a nuisance.

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Kennel: A place where five or more canines are kept,
whether as pets or commercially.

<u>Lodging House</u>: A building where lodging is provided by prearrangement and for compensation.

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Mini-Storage Units:	Construction and Sarety During
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P. cel:	A tract of land separately described in a certificate of survey or subdivision plat.
Employee:	An individual performing work for the business, whether as an officer, employee, independent contractor or otherwise, whether paid or unpaid.
Legal Description	of Property:  LOT BLOCK  SEC TWNSP R NGE
PARADISI AMEND P	PT LOTS 7 & 8 5
6.91 AC	
<i>)</i>	x Joan M. Mayhows (Signature)
	JEAN M. WHITTHE Name)
	Dated this 25th day of July 1992
	(Signature)  (Signature)  (Signature)  (Signature)
	// (Time or Print Name)
	Dated this $\frac{39^{fh}}{}$ day of $\frac{50(4)}{}$ , 1992
	(Signature)
	(Type or Print Name)
	Dated this day of, 1992

and

STATE OF MONTANA )
County of RAVALLI ) On this 29th day of July , 1992, before me the undersigned, a Notary Public for the State aforesaid, personally appeared JEAN M. MATTHEWS and RUSSELL W. LAWRENCE
known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowle ged to me that she/he/they
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.
Myrna a Varner
Notary Public for the State of Montana Residing at Victor, Montana My Commission expires March 7, 1993
STATE OF)
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Notary Public for the State of
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Notary Public for the State of
Residing at

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An individual performing work for the business, whether as an officer, employee, independent contractor or otherwise, whether paid or unpaid.

# Legal Description of Property:

		Lor	BLOCK	
PROPERTY DESCRIPTION		SEC	TWNSP	RANGE
IN W1-2E1-2NWSE INDEX	6	21	6	21
CS #2457 PT TRACT G				
9-16 AC				
		LOT	BLOCK	
PROPERTY DESCRIPTION		SEC	TWNSP	RANGE
IN W1/2E1/2NWSE INDEX	25	21	6	21
CS #2851M TRACT O				
1 AC				
x Ceceil 7	n. alesan			
	nature)			
CECEIL	M. 04.5			
(Typ	e or Print Name)			
Dated this	7 day of Sept	ember,	1992	
·				
(Sig	mature)			
(Тут	e or Print Name)			<del></del>
Dated this	dav of		1992	

是一个人,我们也是一个人,我们也是一个人,我们也是一个人,我们也是一个人,我们也是一个人,我们也是一个人,我们也是一个人,我们也是一个人,我们也是一个人,我们也不

STATE OF (Kingona)
County of Maricopa ) On this 17 day of Statember , 1 fore me the undersigned, a Notary Public for the State afor . personally
appeared Ceceil M. Olson
known to me to be the person(s) whose name(s) is/a. subscribed to
the within instrument and acknowledged to me that she/he/they executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
Notarial Seal the day and year first above written.
Deborah S. Noblehorse
Notary Public for the State of Origona Residing at 555W Catalina, Program
My Commission expires <u>5-10-94</u>
STATE OF
: ss.
County of)
On this day of, 1992, before me the undersigned, a Notary Public for the State aforesaid, personally
appeared
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Notany Tublic Say the Chate of
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## Legal Description of Property:

4 - 12 AC

LOT BLOCK SEC TWNSP RANGE PROPERTY DESCRIPTION PARADISE HTS PARADISE HTS 2 TO 1 SUBJECT TO USES RD 36.51 AC LOT BLOCK SEC TWNSP RANGE PROPERTY DESCRIPTION 38 PARADISE HTS AMEND SUB PLAT #71 7.21 AC LOY BLOCK SEC TWNSP RANGE PROPERTY DESCRIPTION PARADISE HTS AMEND SUB PLAT #71 3.27 AC LOT BLOCK PROPERTY DESCRIPTION SEC TWNSP RANGE. PARADISE HTS 2 AMEND SUB PLAT #71

(Signature) LUCILLE M. WHITLARK

(Type or Print Name)

Dated this //TH day of HUGUST

STATE OF MICHIGAN : SS.  County of Wayne : SS.
undersigned, a Notary Public for the State aforesaid, personally appeared <u>luciue M. Whitiaky</u> known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that she/he/they
executed the same.  IN WITNESS WHEREOF, I have hereunto set my hand and affixed, my Notarial Seal the day and year first above written.
Mornis a. Morthup  Notary Public for the State of Notary Public Worms County, Mill  Residing at  My Commission expires  My Commission Expires 19,5005
STATE OF
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Legal Description of	·
THE NEST	DESCRIPTION  INDEX 19  PARCEL J  SEC TWNSP RANGE 21 6 21
	(Signature) VIRGINIA JAMRUSZKA (Type or Print Name)
	Dated this 21st day of Aug., 1992
	(Signature)
	(Type or Print Name)
	Dated this 21st day of 4 us. , 1992
	(Signature)
	(Type or Print Name)
	pated this day of , 1992

STATE OF Montana)
, • cc
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on this 25 M day of the State aforesaid, personally
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Notarial Seal the day and year first above written.
MOCHITUI MOCHITUI
1 M. Varby
Notary Public for the State of At
Notary Public for the state of
Paciding at \ / / / / / / / / / / / / / / / / / /
My Commission expires Capacitation
STATE OF; ss.
County of ), 1992, before me the On this day of, the State aforesaid, personally
On this day of, 1992, Beloft in the State aforesaid, personally undersigned, a Notary Public for the State aforesaid,
understyled, a mount
appeared appeared known to me to be the person(s) whose name(s) is/are subscribed to known to me to be the person(s) whose name(s) is/are subscribed to known to me to be the person(s) whose name(s) is/are subscribed to known to me to be the person(s) whose name(s) is/are subscribed to known to me to be the person(s) whose name(s) is/are subscribed to known to me to be the person(s) whose name(s) is/are subscribed to known to me to be the person(s) whose name(s) is/are subscribed to known to me to be the person(s) whose name(s) is/are subscribed to known to me to be the person(s) whose name(s) is/are subscribed to known to me to be the person(s) are subscribed to me to be the person to acknowledged to me that she/he/they
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executed the same.
IN WITNESS WHEREOF, I have hereunts but any and with his hotarial Seal the day and year first above written.
Notary Public for the State of
- 131
My Commission expires
STATE OF
: ss.
County of ), 1992, before me the on this day of, 1992, before me the undersigned, a Notary Public for the State aforesaid, personall
On this day of the State aforesaid, personall
undersigned, a Notary Public for the State
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known to me to be the person(s) whose name(s) is/dis she/he/the the within instrument and acknowledged to me that she/he/the
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executed the same.  IN WITNESS WHEREOF, I have hereunto set my hand and affixed means and affixed means are supplied to the same.
IN WITNESS WHEREOF, I have neretained written.  Notarial Seal the day and year first above written.
MOLGITUT Dear one and and a
Notary Public for the State of
Residing at
My Commission expires

INTRODUCTION. The Petitioners request that the Ravalli County Commissioners establish a voluntary zoning district. The district is created to allow growth in the community while preserving low population density, adequate light and air, prevent the overcrowding of land, avoid undue concentration of population, protect the watershed and preserve open space for wildlife habitat and natural The district is to preserve the area as one of single family residences, limiting commercial activity to home base vegetation. enterprises and to provide that future owners of the property do not change the essential character of the area as it is today.

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mobile home parks;

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commercial businesses other than home based;

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sand or gravel pits;

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kennels;

mini-storage businesses;

any other activity that constitutes a nuisance.

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LINDA LEE NIKOLAUS

(Signature)

(Type or Print Name)

Dated this 17 day of August, 1992

(Type or Print Name)

Dated this \_\_\_\_\_, 1992

STATE OFCALIF)
: ss.  County of Inyo )  On this 17th day of August , 1992, before me the undersigned, a Notary Public for the State aforesaid, personally appeared Dennis P. Nikolaus and Linda Lee Nikolaus , 2 pennis P. Nikolaus and 2 pennis P. Nikolaus
executed the same.  IN WITNESS WHEREOF, I have hereunto set my hand and affixed my  Notarial Seal the day and year first above written.
COUNTY Notary Public for the State of California Residing at Inyo My Commission expires November 4, 1994
STATE OF
county of, 1992, before me the on this day of, 1992, before me the undersigned, a Notary Public for the State aforesaid, personally appeared known to me to be the person(s) whose name(s) is/are subscribed to known to me to be the person(s) whose name(s) is/are subscribed to known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that she/he/they executed the same.  IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.
Notary Public for the State of
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undersigned, a Notary Fublic for appeared, appeared, appeared, appeared, whose name(s) is/are subscribed to known to me to be the person(s) whose name(s) is/are subscribed to known to me to be the person(s) whose name(s) is/are subscribed to known to me to be the year they are that she/he/they executed the same.  IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.
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Parcel:	A tract of land separately descertificate of survey or subdivision	cribed in a on plat.
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IN S1-29 CS #2457	PARCEL P  (Signature)  LOWELL H. KLEVEN  (Type or Print Name)  Dated this day of	7, 1992

PATRICIA J. GRAPEVINE
NOTARY PUBLIC - MINNESOTA
ANOKA COUNTY
My commission expires 12-17-93

STATE	oF	Minnesota	)
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STATE OF THE STATE
County of Aroka )  On this 3 day of Aroust , 1992, before me the undersigned, a Notary Public for the State aforesaid, personally appeared Lowell and Janice Kleven, is/are subscribed to known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that she/he/they executed the same.  IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.
Notarial Seas the day that for the state of m. one so ta  Residing at Coo Rapids , MN  My Commission expires 12-17-93
county of
Notary Public for the State of  Residing at  My Commission expires  STATE OF  : ss.  County of  On this day of, 1992, before me the undersigned, a Notary Public for the State aforesaid, personally appeared known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that she/he/they secuted the same.  IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
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Employee:	An individual performing work for the business, whether as an officer, employee, independent contractor or otherwise, whether paid or unpaid.
Legal Description o	f Property:
IN SENE	DESCRIPTION SEC TWNSP RANGE INDEX 27 21 6 21 TRACT E-1
	Balantare)  B.C. Rimbers  (Signature)  Dated this day of, 1992  (Signature)  (Type or Print Name)  Dated this day of, 1992
	(Signature)  (Type or Print Name)
	I I A D.C. OT LITHING HOME!

Dated this \_\_\_\_\_, 1992

	STATE OF NEW MEXICO )
	County of SANTA FE: SS.
	On this 6th day of August , 1992, before me the
	undersigned, a Notary Public for the State aforesaid, personally
	known to me to be the person(s) whose name(s) is/are subscribed to
	the within instrument and acknowledged to me that she/he/they
	executed the same.
	IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
	Notarial Seal the day and year first above written.
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	OFFICIAL SEAL
Veν,	DADUE LINEO
Э,	NOTARY PURISC Notary Dublic for the State of NEW MEGGO
4	Residing at 102 Williams SANCTA-FE, NO.
Com	massion Expires 1/27/98 My Commission expires 9/27/94
	STATE OF)
	: ss.
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	On this day of, 1992, before me the
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)	executed the same.
/	IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
	Notarial Seal the day and year first above written.
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	My Commission expires
	STATE OF
	STATE OF
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	appeared
	known to me to be the person(s) whose name(s) is/are subscribed to
	the within instrument and acknowledged to me that she/he/they
	executed the same.
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DE-7746

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Legal Description o	Legal Description of Property:		
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	Be Rimbeau		
	(Signature) B.C.RIMBEAUX		
	(Type or Print Name)		
	Dated this 6 day of August, 1992		
	Tille Clah Kimbran		
	(Signature) BILLY CLYDE RIMBEAUX		
	(Type or Print Name)		
	Dated this 6 day of August, 1992		
	(Signature)		
	(Type or Print Name)		

	STATE OF NEW MEXICO
	County of Saura Fix )
	County of Sant Piz )
	On this 64 day of August , 1992, before me the undersigned, a Notary Public for the State aforesaid, personally appeared 5.C. RIMBEAUX + BILLY CLYDE RIMBEAUX,
	undersigned, a Notary Public for the State aforesafu, personally
	known to me to be the person(s) whose name(s) is/are subscribed to
	the within instrument and acknowledged to me that she/he/they
	executed the same.
	IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
	Notarial Seal the day and year first above written.
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	state of New Market Notary Public for the State of New Market
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	Commission expires 4/27/95
	STATE OF )
	: SS.
	County of ) On this day of, 1992, before me the
	undersigned, a Notary Public for the State aforesaid, personally
	appeared
_	known to me to be the person(s) whose name(s) is/are subscribed to
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Legal Description o	f Property:
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•	Roymond & Farsen TTE
	Signature ARSEN Trustee  (Type or Print Name)
	Dated this 17 day of Sept, 1992
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	county of 6 Mills September, 1992, before me the
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	OFFICIAL NOTARY SEAL
À	HEIDI KAUFMAN-LEVINE Notary Public — California Notary Public — California
9.	Notary Public — California LOS ANGELES COUNTY Ry Comm. Expires MAR 09,1993  Notary Public for the State of County Residing at C
, n	My Commission expires
	STATE OF )
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	undersigned, a Notary Public for the State aforesaid, personally
	known to me to be the person(s) whose name(s) is/are subscribed to
	known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that she/he/they
	evented the same.
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	Notarial Seal the day and year first above written.
	Notary Public for the State of
	Residing at,
	My Commission expires
	STATE OF
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	the within instrument and acknowledged of the
	executed the same.
	IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.
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	Residing at,,
	my committanton expires

# PETITION TO CREATE A ZONING DISTRICT

Commissioners establish a voluntary zoning district. The district is created to allow growth in the community while preserving low population density, adequate light and air, prevent the overcrowding of land, avoid undue concentration of population, protect the watershed and preserve open space for wildlife habitat and natural vegetation. The district is to preserve the area as one of single family residences, limiting commercial activity to home base enterprises and to provide that future owners of the property do not change the essential character of the area as it is today.

AREA TO BE ZONED. The area to be zoned consists the W\sW\sW\\, Section 15, the SE\sE\s\, Section 16, all of Section 21 and the W\s\N\\\, Section 22 and Lots 5-12, Block 5, Paradise Heights No. 2, all in

Township 6 North, Range 31 West, Ravalli County, Montana.

DENSITY. Further subdivision of existing parcels will be allowed down to the established minimum average. The minimum average means that one or more parcels can be subdivided or reconstituted in any manner as long as the average acreage of the parcels resulting from the subdivision or reconstitution exceeds the minimum acreage.

BOUNDARY LINE ADJUSTMENTS. Nothing in this zoning plan shall prohibit adjustment of boundary lines between adjacent property

owners, as long as no additional parcels are created.

MINIMUM LOT SIZE. The minimum lot size is as follows:

- 1. The W\(\frac{1}{2}\)SW\(\frac{1}{4}\), Section 15, the N\(\frac{1}{2}\) and SW\(\frac{1}{4}\) of Section 21 and the W\(\frac{1}{2}\)NW\(\frac{1}{4}\) of Section 22, ten (10) acres;
- 2. The SE%, Section 21, and Lots 5-12, Block 5, Paradise Heights No. 2, five (5) acres;

Providing, however, that any tract which is an original platted tract from Paradise Heights or Paradise Heights No. 2 may be divided one time without violating this provision. Pre-existing parcels

below the minimum acreage are allowed.

permitted uses. Single family dwellings, accessory buildings and uses incidental to the allowed uses are allowed. Each parcel may have one additional residence which may be a guest house or employee quarters in addition to the primary residence. Any agricultural use, excepting pig farms and feed lots, shall be allowed. Feed lot operation consists of any property on which fifteen (15) or more animals are held for market and on which more than 65% of the feed for the animals is supplementally provided from off-premises.

Home based businesses which do not create a nuisance as defined by Montana law are allowed. The business can have no more than five employees on the property during any two week period and can have no more than three employees who work on the property, but do not reside there during any two week period. The business shall be conducted within the home or within a shop less than 1500 square feet in size

#### PROHIBITED USES.

- mobile homes (except for temporary shelter while the home is being built or repaired) shall not exceed 18 months.
- apartments, condominiums or townhouses;
- mobile home parks;
- RV parks and private campgrounds;
- commercial businesses other than home based;
- restaurants, bars and clubhouses;
- school dormitories, drug or alcohol treatment centers, prisons and any other group quarters;
- signs of more than 4 sq. ft.;
- post and pole plants, outdoor stationary saw mills, or any business requiring daily and prolonged use of chainsaws, planers, etc. outdoors;
- open storage of junk, junk cars, or junk car parts;
- sand or gravel pits;
- radio, tv or communication towers higher than 50 ft. or requiring separate lights;
- kennels:
- mini-storage businesses;
- any other activity that constitutes a nuisance.

### DEFINITIONS.

Accessory Building: A subordinate building devoted to a use incidental to the main use. Separate parts of a building divided by an unpierced wall shall be deemed separate buildings.

Agricultural Use: The practice of cultivating the soil, producing crops, and raising and managing livestock. Does not include feed lots.

A building with three or more separate units consisting of a room or suite of rooms which include bath and kitchen accommodations, intended or designed to be used as an independent residence by an individual or family.

<u>Condominium</u>:

A form of multi-family dwelling in which an independently owned apartment is located in a building and on land, both of which are commonly owned, usually by a homeowners' association.

Hotel: A building with ten or more sleeping rooms which are provided to transient guests for compensation.

Kennel: A place where five or more canines are kept,
whether as pets or commercially.

Lodging House: A building where lodging is provided by prearrangement and for compensation.

Mobile Home:	A prefabricated housing unit defined and regulated under the National Mobile Home Construction and Safety Standards Act of 1974.				
Mini-Storage Units:	Multiple storage buildings, usually attached with common walls, available for leasing.				
RV Park or Campground:	A site used for temporary parking of two or more motor homes, travel trailers or tents for commercial or group use.				
<u>Townhouse</u> :	A form of multi-family dwelling in which the owner of each unit shares the joint ownership of common land.				
Parcel:	A tract of land separately described in a certificate of survey or subdivision plat.				
Employee: An individual performing work for the back whether as an officer, employee, indicontractor or otherwise, whether paid or					
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· ·	Charles Robert Olivery. Trustee				
<b>\</b>	(Signature) CHARLES ROBERT OLIVER JR TRUSTEC				
<b>`</b>	(Type or Print Name)				
Dated this 29 day of AUG. , 199					
Charlotte S. Oliver Trusto					
	(Signature)  CHARLOTTE S. OLIVER TRUSTEE				
	(Type or Print Name)				
	Dated this 29 day of August, 1992				
(Signature)					
(Type or Print Name)					
	Dated this day of, 1992				

	STATE OF CALIFORNIA
	On this 29 day of Lucust , 1992, before me the undersigned, a Notary Public for the State aforesaid, personally enpeared Charlotte S. Oliver, trustee
Prove	executed the same.  IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.
	OFFICIAL SEAL MARILYN EISENMAN Notory Audic-Collifornia Orange Coulty My Commission Expires Suptember 10, 1993 Residing at fourtain Wiley My Commission expires My Commission expires  My Commission expires  My Commission expires  9-10-9.3
	STATE OF California : ss.
(Grov-	County of Orange ) August , 1992, before me the undersigned, a Notary Public for the State aforesaid, personally appeared Charles Robert Oliver wires [ee] appeared to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that she/he/they executed the same.  IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.
	OFFICIAL SEAL MARKEYN EISENMAN Notary Rubic-Collifornic ORANGE COULTY My Commission Expires September 10, 1993 My Commission expires My Commission expires My Commission expires  My Commission expires  9-10-93
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	appeared known to me to be the person(s) some name(s) is/are subscribed to known to me to be the person(s) ose name(s) is/are subscribed to the within instrument and acknowledged to me that she/he/they executed the same.  IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial Seal the day and year first above written.
	Notary Public for the State of Residing at

### PETITION TO CREATE A ZONING DISTRICT

INTRODUCTION. The Petitioners request that the Ravalli County Commissioners establish a voluntary zoning district. The district is created to allow growth in the community while preserving low population density, adequate light and air, prevent the overcrowding of land, avoid undue concentration of population, protect the watershed and preserve open space for wildlife habitat and natural vegetation. The district is to preserve the area as one of single family residences, limiting commercial activity to home base enterprises and to provide that future owners of the property do not change the essential character of the area as it is today.

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- apartments, condominiums or townhouses;

mobile home parks;

RV parks and private campgrounds;

commercial businesses other than home based;

restaurants, bars and clubhouses;

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is provided lodging building where Lodging House:

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<u>Parcel</u> :	A tract of land separately described in a certificate of survey or subdivision plat.					
Employee:  An individual performing work for the business, whether as an officer, employee, independent contractor or otherwise, whether paid or unpaid.						
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PP-7746

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# PETITION TO CREATE A ZONING DISTRICT

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<u>parcel</u> :	A tract of land separately certificate of survey or subdiv	buciness,
Employee:	An individual performing work in whether as an officer, employent contractor or otherwise, whether	yee, independent repaid or unpaid.
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Notary Public fo	r the State of
Residing at	
My Commission ex	pires

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## Dear Neighbor:

The Blodgett Canyon/ Canyon Creek Neighborhood Voluntary Zoning District petition is moving into the home stretch. We have tried to craft a petition that all of the owners within the zone can feel good about supporting. This process has been going on since last fall and has involved about half a dozen meetings where input was received and compromises made. We sincerely hope that all constructive suggestions have been incorporated into what you now have before you.

We are now in the process of collecting the necessary signatures. Once we collect the signatures, the county will notify every owner within the proposed zone by certified mail that there will be a public meeting on a particular date. At this meeting, the Commissioners will review the petition with those in attendance and suggest any necessary changes. Following some time period for additional input, the zone will be either approved or denied by a vote of the Commissioners.

If you would like to sign the petition, please do so in the presence of a notary public and have it notarized. You are to sign your name exactly as it appears on the petition. If the deed is in more than one name, all parties must sign and have all signatures notarized. If you own multiple properties under slightly different names (one as an individual, one as a trustee of a family trust, for example), you must sign two (or more) petitions. If you own multiple properties under the same name, the legal descriptions of all properties contained in the proposed zone will be attached to a single petition, and only one signature will be required.

Please return the signed petition(s) in the envelope provided. If you have any questions at this time, contact either of us. We may be hard to reach during the middle of August, so an early response will be much appreciated.

Sincerely,

Howard

George Masnick

(406) 363-6654

Thanks for purhely and input, Finally, we are ready to the Takes time, I guess. Be sure all three of great Sign, fust as shown. Howard Rapp

# PETITION TO CREATE A ZONING DISTRICT

INTRODUCTION. The Petitioners request that the Ravalli County Commissioners establish a voluntary zoning district. The district is created to allow growth in the community while preserving lcw population density, adequate light and air, prevent the overcrowding of land, avoid undue concentration of population, protect the watershed and preserve open space for wildlife habitat and natural vegetation. The district is to preserve the area as one of single family residences, limiting commercial activity to home base enterprises and to provide that future owners of the property do not change the essential character of the area as it is today.

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> > A place where five or more canines are kept, whether as pets or commercially.

lodging is provided by A building where prearrangement and for compensation.

defined and A prefabricated housing unit Mobile the National Mobile Home: regulated under Construction and Safety Standards Act of 1974. Mini-Storage Units: Multiple storage buildings, usually attached with common walls, available for leasing. A site used for temporary parking of two or more RV Park or motor homes, travel trailers or tents for Camparound: commercial or group use. A form of multi-family dwelling in which the owner of each unit shares the joint ownership of Townhouse: common land. A tract of land separately described in a certificate of survey or subdivision plat. Parcel: An individual performing work for the business, whether as an officer, employee, independent Employee: contractor or otherwise, whether paid or unpaid. SEC TWNSP RANGE Legal Description of Dronerty.
PROPERTY DESCRIPTION WI-2NW INDEX 3 SUBJ TO 3.62 AC USFS ROAD NET 76.38 AC SLIE WHEELER (Type or Print Name) day of November, 1992 Dated this  $\mathcal{I}$ (Signature) ROY WHEELER (Type or Print Name) Dated this 18th day of Sep (Signature) MARIE WHEELER BULLMAN KATHERINE (Type or Print Name)

day of

Dated this

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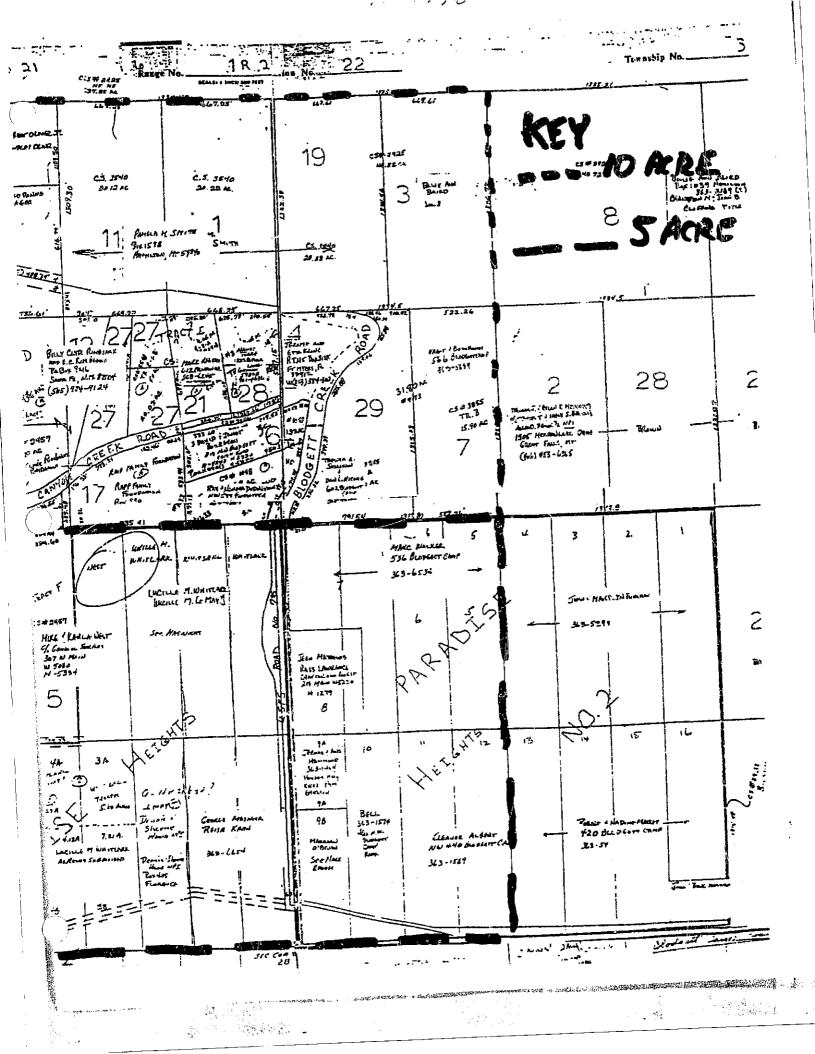


STATE OF Warry Ton 1992, before me the county of Snohamis undersigned, a Notary Public for the State aforesaid, personally known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that she/he/they IN WITNESS WHEREOF, I have hereunto set my hand and affixed my executed the same. Notarial Seal the day and year first above written. Washin Notary Public for the State of Residing/at/\_ 19 Atazust My Commission expires \_ STATE OF WAS known to me to be the person(s) whose hame(s) is/are subscribed to the within instrument and acknowledged to me that she/he/they IN WITNESS WHEREOF, I have hereunto set my hand and affixed my executed the same. Notarial Seal the day and year first above written. Notary Public for the State of Residing at . My Commission expires STATE OF Montana lul, 1992, before me the undersigned, a Notary Public for the State aforesaid, personally appeared Kathemal & Tarel Affected Sullman known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that she/he/they IN WITNESS WHEREOF, I have hereunto set my hand and affixed my executed the same. Notarial Seal the day and year first above written. for the State of Notary Public

Residing at /22

My Commission expires

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## GEORGE M ZONING

#### Section 22

#### Section 16

Charles Robert Jr & Charlotte Standley Oliver Tr Index 1

Section 15

Charles Robert Jr & Charlotte Standley Oliver Tr Index 7

# Paradise Heights #2

Lt 5	Marc Euberne Walker
Lt 6	Marc Euberne Walker
Lt 7	Marc Euberne Walker
Lt 8	Jean M Matthews & Russell W Lawrence
Lt 9A	Jorome & Ana Luisa Hammond
Lt 98	Maureen O'Brien
Lt 10	Gregory A & Dorothy N Bell
Lt 1.1	Eleanor R Albert
Lt 12	Eleanor R Albert
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### Section 21

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Index 1	Pamela M Smith
Index 2	Francis W & Donna Henager
Index 3	James Leslie & Dennis Roy Wheeler
	Katherine Marie Wheeler Bullman
Index 4	Dennis P & Linda Lee Nikolaus
Index 5	Michael H & Karla J West
Index 6	Cecil M Olson
Index 7	Kenneth E & Betty C Gardner
Index 8	Walter Richmond & Elaine Simone Jeanne Andrae
Index 9	Russell M & Ileen R Parsons
Index 11	Pamela M Smith
Index 12	Billy Clyde & B C Rimbeaux
Index 13	Charles Robert Jr & Charlotte Standley Officer 11
Index 14	Raymond R & Norma J Dudney
Index 15	Francis W & Donna Menager
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Index 17	Rapp Family Foundation Inc
Index 18	Paymond C & Verna M Larsen Tr
Index 19	Ellis Misner & Virginia Kay Jamruska
Index 19 Index 20	Lowell H & Janice K Kleven
Index 20 Index 21	Mark E Rhodes
Index 21 Index 22	Howard B Rapp Jr Tr
	Raymond C & Verna M Larsen Tr
Index 23	Raymond C & Verna M Larsen Tr
Index 24	Cecil M Olson
Index 25	David F & Janice M Bourgeios
Index 26	B C Rimbeaux
Index 27	Nancy Joy Torre
Index 28	Lowell H & Janice K Kleven
Index 29	Charles R & Charlotte Oliver
Index 30	Charles & G. Charles B. Dovic

Roland N & Antonia B Davis

Paradise Heights Blk I

Pt Lt l Michael H & Karla J West

Pt Lt l Michael H & Karla J West

Lucille M Whitlark Tr

Lucille M Whitlark Tr

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Lucille M Whitlark Tr

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Section 22
                   Pamela M Smith
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                   Billie Ann Baird
                   Lewis A & Karlotta k Somerlot
Index 3
Index 4
                   John T de Runtz
Index 29
                   Brent C & Beth D Holmes
                   David F & Janice M Eourgeios
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                   Raymond R & Norma J Dudney
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                         Lowell H & Janice K Kleven
      Index 29
                         Charles R & Charlotte Oliver
                          Roland N & Antonia B Davis
       Index 30
       Index 31
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I, Betty T. Lund, Ravalli County Clerk & Recorder do hereby certify that the above listing of 53 names are the freeholders in the Bouard Rapp Zoning Area as of June 1, 1992

W MONTAIN.

Betty T. Sund

Betty T. Lund Ravalli County Clerk & Recorder